

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSHUA GABRIEL,
Plaintiff,

v.

VERIZON and COMMUNICATIONS
WORKERS OF AMERICA,

Defendants.

Civil No: 14-3606 (KSH)

ORDER

Upon consideration of the motion [D.E. 6] of defendant Verizon to dismiss the complaint filed by plaintiff Joshua Gabriel; and for the reasons expressed in the Court's opinion filed herewith,

IT IS, on this 31st day of March, 2015,

ORDERED that, in accordance with the Court's opinion, defendant's motion to dismiss is **GRANTED IN PART**, insofar as it seeks dismissal of counts 1, 2, 3 and 7, and **DENIED IN PART**, insofar as it seeks dismissal of counts 4 and 5; and it is further

ORDERED that the parties shall confer with Magistrate Judge Cathy L. Waldor for the purposes of engaging in limited discovery with regard to the timeliness of Gabriel's claim under the Labor Management Relations Act.

/s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.